

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

FORREST W. PHILLIPS, SR.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 09-cv-0997-SCW
)	
HUNTER MARINE TRANSP., INC.,)	
)	
Defendant.)	

ORDER

WILLIAMS, Magistrate Judge:

Before the Court are Phillips' First Motion *In Limine*, Phillips' Second Motion *In Limine*, and Hunter Marine's Motion *In Limine*. Arguments were presented in a telephonic hearing held at 3:00 p.m. on November 2, 2011.

I. Phillips' First Motion *In Limine*

Section 1 of Phillips' First Motion *In Limine* is GRANTED IN PART. At trial, Hunter Marine will be designated as "Plaintiff;" Phillips will be designated as "Defendant." Otherwise, Section 1 of Phillips' First Motion *In Limine* is DENIED.

Section 2 is GRANTED IN PART and DENIED IN PART. Evidence of Phillips' June 1995 theft conviction will be excluded. Otherwise, Section 2 of Phillips' First Motion *In Limine* is DENIED.

Section 3 is GRANTED IN PART and DENIED IN PART. Phillips' conviction for unlawful possession of a controlled substance will be excluded. His forgery convictions will be allowed. And while Hunter Marine may elicit on cross examination the fact that Phillips had a 2007

misdemeanor conviction, any reference to the underlying facts of that conviction—i.e. that it was a theft conviction—will be excluded.

Section 4 is GRANTED.

II. Phillips' Second Motion *In Limine*

DENIED.

III. Hunter Marine's Motion *In Limine*

GRANTED.

IT IS SO ORDERED.

DATED: November 3, 2011

/s/ Stephen C. Williams
STEPHEN C. WILLIAMS
United States Magistrate Judge